?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 29.04.2019
*CORAM
THE HONOURABLE MR.JUSTICE N.SESHASAYEE
+Crl.O.P.(MD)No.6312 of 2019

#M.Shanmugam Pillai
... Petitioner
/Vs./
$1.Jeyam Traders,
Through its Proprietor,
C.Rejsh Jeyasingh,
S/o.M.Chellasamy,
4/1, N.P.S.Complex,
Opposite to New Bus Stand,
Tuticorin ? 628 002,
Tuticorin District.

2.C.Rajesh Jeyasingh

3.The Inspector of Police,
South Police Station,
Thoothukudi. ... Respondents

Prayer: Petition ~ filed under Section 482 of the Criminal Procedure Code, to direct the 3rd respondent to execute the Bailable Warrant issued against the respondents no.1 and 2 / accused, dated 24.01.2019 and further direct the learned Fast Track Court (Magistrate Level) to dispose of the Calendar Case in C.C.No.13 of 2013, within the time stipulated by this Court.

!For Petitioner : Mr.R.Balakrishnan

^For R~3 : Mr.V.Neelkandan
Additional Public Prosecutor

:ORDER

This petition is filed to direct the 3rd respondent to execute the Bailable Warrant issued against the respondents no.1 and 2 / accused, dated 24.01.2019 and further direct the learned Fast Track Court (Magistrate Level) to dispose of the Calendar Case in C.C.No.13 of 2013.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that the private complaint is one under Section 138 of the Negotiable Instruments Act, that the second respondent who is the drawer of the cheque had earlier absconded before the commencement of the trial and after the commencement of the trial, he is yet again absconded and that a bailable warrant has been

issued and remains unexecuted from 24.01.2019. Now, he seeks execution of the bailable warrant and expeditious disposal of the case.

4. Suffice to say for the present, the third respondent is now directed to execute the bailable warrant issued against the second respondent, within a period of four weeks from the date of receipt of a copy of this order. Upon securing his presence, the trial Court may even contemplate cancelling bail granted to the second respondent and ensure the presence and the participation of the second respondent in the trial and dispose of the case in C.C.No.13 of 2013 within a period of three months thereafter.

5. With the above direction, this Criminal Original Petition is disposed of.

To

1.The Inspector of Police,
South Police Station,
Thoothukudi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.